

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES

v.

CHAD SMITH

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No. 1:03-CR-251

JUDGE SYLVIA H. RAMBO

MEMORANDUM and ORDER

Before the court is a motion for compassionate release from confinement made by inmate Chad Smith. The motion before this court is improper. Such a motion pursuant to 18 U.S.C. § 3582(c)(1)(A) must be made by the Director of the Bureau of Prisons to the court.

A motion from the prisoner is to be submitted to the warden. 28 C.F.R. § 571.61(a). The warden then reviews such request with the Regional Director, General Counsel, and others depending on the reason for the request. § 571.62.¹ Only after all procedures are completed at the Bureau of Prisons is the approval of the U.S. Attorney's Office sought. § 571.62(a)(4). After that, the Director of the Bureau of Prisons may move the court.

IT IS THEREFORE ORDERED THAT the present motion is denied because of procedural error.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: December 22, 2006.

¹See 28 C.F.R. §§ 571.60-571.64.